

HOUSE BILL 2849

By Kumar

AN ACT to amend Tennessee Code Annotated, Title 63,
relative to healthcare professional licensing.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 63, Chapter 6, Part 2, is amended by adding the following as a new section:

(a) The board of medical examiners may issue to an eligible physician or medical graduate from a foreign country or foreign territory a short-term visitor clinical training license as a limited and temporary license to practice medicine in this state for a period of time not to exceed ninety (90) days.

(b) To be eligible for a short-term visitor clinical training license under this section, an applicant physician or medical graduate must provide to the board, in a manner and form prescribed by the board by rule:

(1) Proof that the applicant holds a medical degree from an institution recognized in the World Directory of Medical Schools;

(2) Proof of written acceptance to a clinical professional development or short-term clinical training program in this state;

(3) Proof that the applicant is able to lawfully enter and remain in the United States during the period of the clinical professional development or short-term clinical training program;

(4) Evidence that the host institution or the Educational Commission for Foreign Medical Graduates (ECFMG) has verified the applicant's credentials;

(5) Evidence that the applicant:

(A) Has an unrestricted license to practice medicine in the applicant's country or territory of origin or country or territory of practice;
or

(B) Is enrolled in an accredited resident training program in the applicant's country or territory of origin;

(6) A written statement that the applicant does not have, as determined by the board:

(A) A disqualifying criminal history; or

(B) A history of disqualifying disciplinary action by an educational or training institution, employer, or foreign licensing authority;

(7) Proof of medical liability insurance coverage; and

(8) A written statement signed by the applicant acknowledging that a short-term visitor clinical training license cannot be used to:

(A) Obtain or hold a position in a residency program in the United States;

(B) Satisfy United States graduate medical education requirements; or

(C) Remain in this state to practice medicine beyond the expiration date of the license.

(c) A short-term visitor clinical training licensee:

(1) Shall not assume independent responsibility for patient care;

(2) May only engage in training activities under close supervision by a physician licensed under this chapter or chapter 9 of this title. As used in this subdivision (c)(2), "close supervision" means that degree of supervision required

for medical residents and fellows in training programs accredited by the Accreditation Council for Graduate Medical Examination (ACGME); and

(3) To the extent permitted by the board based upon the licensee's education and training, and by compliance with subdivision (c)(2), may engage in direct interaction with a patient, including, but not limited to:

- (A) Taking medical history;
- (B) Conducting a physical examination;
- (C) Reading a radiologic study;
- (D) Administering anesthesia; and
- (E) Performing a surgical procedure.

SECTION 2. Tennessee Code Annotated, Title 63, Chapter 9, is amended by adding the following as a new section:

(a) The board of osteopathic examination may issue to an eligible physician or medical graduate from a foreign country or foreign territory a short-term visitor clinical training license as a limited and temporary license to practice medicine in this state for a period of time not to exceed ninety (90) days.

(b) To be eligible for a short-term visitor clinical training license under this section, an applicant physician or medical graduate must provide to the board, in a manner and form prescribed by the board by rule:

- (1) Proof that the applicant holds a medical degree from an institution recognized in the World Directory of Medical Schools;
- (2) Proof of written acceptance to a clinical professional development or short-term clinical training program in this state;
- (3) Evidence that the host institution or the Educational Commission for Foreign Medical Graduates (ECFMG) has verified the applicant's credentials;

(4) Evidence that the applicant:

(A) Has an unrestricted license to practice medicine in the applicant's country or territory of origin or country or territory of practice;
or

(B) Is enrolled in an accredited resident training program in the applicant's country or territory of origin;

(5) A written statement that the applicant does not have, as determined by the board:

(A) A disqualifying criminal history; or

(B) A history of disqualifying disciplinary action by an educational or training institution, employer, or foreign licensing authority;

(6) Proof of medical liability insurance coverage; and

(7) A written statement signed by the applicant acknowledging that a short-term visitor clinical training license cannot be used to:

(A) Obtain or hold a position in a residency program in the United States;

(B) Satisfy United States graduate medical education requirements; or

(C) Remain in this state to practice medicine beyond the expiration date of the license.

(c) A short-term visitor clinical training licensee:

(1) Shall not assume independent responsibility for patient care;

(2) May only engage in training activities under close supervision by a physician licensed under this chapter or chapter 6 of this title. As used in this subdivision (c)(2), "close supervision" means that degree of supervision required

for medical residents and fellows in training programs accredited by the Accreditation Council for Graduate Medical Examination (ACGME); and

(3) To the extent permitted by the board based upon the licensee's education and training, and by compliance with subdivision (c)(2), may engage in direct interaction with a patient, including, but not limited to:

- (A) Taking medical history;
- (B) Conducting a physical examination;
- (C) Reading a radiologic study;
- (D) Administering anesthesia; and
- (E) Performing a surgical procedure.

SECTION 3. The board of medical examiners and the board of osteopathic examination are authorized to promulgate rules to effectuate the purposes of act. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.